

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION

IN RE:

RICH'S FOOD STORES, LLC,

CASE NO.: 19-00504-5-JNC
CHAPTER 11

DEBTOR(S)

NOTICE OF MOTION

NOTICE IS HEREBY GIVEN of the Emergency Motion for Authorization of Debtor's Interim Use of Cash Collateral filed simultaneously herewith by the Debtor in the above-captioned case, a copy of which Motion attached hereto; and

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have any attorney, you may wish to consult with one.

If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then on or before February 18, 2019, unless otherwise ordered, you or your attorney must file with the Court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at: US Bankruptcy Court, PO Box 791, Raleigh, NC 27602. If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must also mail a copy to the attorney whose name appears at the bottom of this notice, to the bankruptcy administrator, the trustee, and to other parties in interest.

A hearing will be conducted on the Motion on February 19, 2019 at 1:00 p.m. in Greenville, North Carolina. Any party filing a response to the Motion shall appear at any hearing in support of the objection or may be assessed with costs.

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Dated: February 14, 2019

RICHARD P. COOK, PLLC

/s/ Richard P. Cook

Richard P. Cook

N.C. State Bar No. 37614

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION**

IN RE:

RICH'S FOOD STORES, LLC,

**CASE NO.: 19-00504-5-JNC
CHAPTER 11**

DEBTOR(S)

**EMERGENCY MOTION FOR AUTHORIZATION OF
DEBTOR'S INTERIM USE OF CASH COLLATERAL**

NOW COMES, Rich's Food Stores, LLC (hereafter "Debtor"), by and through undersigned counsel, and pursuant to § 363 of the Bankruptcy Code and Fed. R. Bankr. P. 4001(b)(2), hereby respectfully moves this Court for an Order authorizing the interim use of cash collateral to avoid immediate and irreparable harm to its bankruptcy estate (the "Estate") and requests an emergency hearing on the same. In support hereof, the Debtor shows unto this Court as follows:

INTRODUCTORY STATEMENT

Pursuant to Fed. R. Bankr. P. 4001(b)(1)(B), the Debtor sets forth the following introductory statement:

The Debtor was founded in December 2013 and operates four Hwy 55 franchises in Southeastern North Carolina (Wallace, Burgaw, Castle Hayne, and Fayetteville). The Debtor serves fresh, made-to-order specialty hamburgers, cheesesteaks, classic sandwiches, french fries, and milkshakes. The Debtor employs approximately ninety (90) employees—and was current on its payroll on the Petition Date.

The Debtor began to experience financial problems as a result of, inter alia, the following: (1) the closing of stores; (2) the remaining four stores were closed for

approximately one month due to Hurricane Florence and while Debtor has insurance claims pending, the claims will not be enough to compensate for lost revenue; (3) the Debtor began to fall behind on its withholding taxes to the Internal Revenue Service and its sales and use taxes to the North Carolina Department of Revenue; and (4) various creditors with liens had begun to garnish Debtor's bank accounts.

The Debtor anticipates continuing operations and reorganizing its obligations in this Chapter 11 case. In order to maintain existing operations during the interim period, the Debtor will be required to incur certain operating expenses, including food purchases, payroll, payroll taxes and certain other expenses, including those associated with the payment of liability, health, and workers' compensation insurance, utilities, and other expenses. The Debtor's only source of income is through sales of its food products directly to consumers.

JURISDICTION AND AUTHORITY

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and it is core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. This Court has authority to hear this matter pursuant to the General Order of Reference entered by the United States District Court for the Eastern District of North Carolina on August 3, 1984.

FACTUAL BACKGROUND

3. The Debtor filed a voluntary petition seeking relief under chapter 11 of the Bankruptcy Code on February 5, 2019 (the "Petition Date"), Case No. 19-00504-4-JNC (the "Bankruptcy Case") and currently operates as Debtor-in-Possession.

4. The Debtor was founded in December 2013 and operates four Hwy 55 franchises in Southeastern North Carolina (Wallace, Burgaw, Castle Hayne, and Fayetteville). The Debtor serves fresh, made-to-order specialty hamburgers, cheesesteaks, classic sandwiches, french fries, and milkshakes.

5. Prior to the Petition Date, the Debtor entered into two financing agreements with Newtek Small Business Financial, LLC (“Newtek”) dated on or about September 14, 2016 and November 9, 2016. Debtor granted to Newtek a UCC-1 lien on all property owned by the Debtor. UCC-1 filing statements were caused to be filed with the N.C. Secretary of State on August 19, 2016 and October 25, 2016. The balance currently owed to Newtek is \$495,773.33 for the September 2016 loan and \$149,564.00 for the November 2016 loan. It is believed these purported liens are fully secured.

6. The Internal Revenue Service (“IRS”) filed a Proof of Claim on February 12, 2019 [Claim No. 1]. According to the Proof of Claim, the IRS has a secured claim of \$109,672.11. The IRS has a tax lien docketed in Duplin County, North Carolina filed prior to the Petition Date. It is believed the lien is fully secured.

7. The North Carolina Department of Revenue (“NCDOR”) has a secured claim of \$20,973.81. The NCDOR has a judgment lien docketed in Pender County, North Carolina filed prior to the Petition Date. It is believed the lien is fully secured.

8. Prior to the Petition Date, on or about July 11, 2017, Debtor entered into a loan agreement with Strategic Funding Source, Inc (“Strategic Funding”). On information and belief, a UCC-1 filing statement was filed with the N. C. Secretary of State on or about July 13, 2017. Debtor disputed this debt in its schedules and served a

Notice of Disputed Claims on Strategic Funding. If the lien is determined to be valid, it may not have any value.

9. Prior to the Petition Date, Vend Lease Company Inc. (“Vend Lease”) filed a UCC-1 filing statement with the N.C. Secretary of State on or about January 18, 2019. This filing includes restaurant equipment/accessories and all assets including but not limited to inventory, supplies, accounts, accounts receivable and all other personal property, and deposit accounts. It is believed the lien has no value beyond the specific leased equipment. Vend Lease receives payments each month through automatic drafts.

10. It appears that proceeds generated and realized from the Debtor's operations may constitute cash collateral of Newtek, the IRS, and NCDOR within the meaning of § 363 of the Bankruptcy Code and according to their respective lien positions and priorities.

11. The Debtor agrees to Adequate Protection payments in the amount of \$4,437.00 each month to Newtek. These payments represent the approximate amount of the contractual monthly interest on the underlying debt. The Debtor agrees to Adequate Protection payments in the amount of \$1,827.87 each month to the IRS. These payments represent one sixtieth (1/60) of the secured claim. The Debtor agrees to Adequate Protection payments in the amount of \$350.00 each month to the NCDOR. These payments represent one sixtieth (1/60) of the secured claim. These Adequate Protection payments will begin on March 1, 2019. The terms and conditions set forth in this Motion provide adequate protection of the interests of the secured creditors for the Debtor's use of cash collateral. Attached as **Exhibit A** are profit and loss projections for February and March 2019. The attached projections include the adequate protection payment to

Newtek. While the attached projections do not include the adequate protection payments to the IRS or NCDOR or the quarterly fees, the budget leaves room for these payments.

12. The requirements of the Bankruptcy Rules and the Bankruptcy Code, including without limitation Federal Rule of Bankruptcy Procedure 4001(b), have been satisfied for the purpose of the Debtor's use of cash collateral.

REQUEST FOR RELIEF

13. Section 363(c) provides that of the Bankruptcy Code provides that debtors may use cash collateral provided "(A) each entity that has an interest in such cash collateral consents; or (B) the court, after notice and a hearing, authorizes such use, sale, or lease in accordance with the provisions of this section." 11 U.S.C. § 363(c)(2). The term "cash collateral" for purposes of § 363, includes "cash, negotiable instruments, documents of title, securities, deposit accounts, or other cash equivalents whenever acquired in which the estate and an entity other than the estate have an interest" 11 U.S.C. § 363(a).

14. In order to continue and maintain its existing operations, the Debtor will be required to incur certain operating expenses, including purchasing food, payroll, office expenses, insurance premiums, payments and fees, and other normal operating expenses. The Debtor's sole source of income is through its continued operations.

15. The Debtor represents that continued operations will generate the greatest source of funds for creditors. The Debtor will require access to the cash collateral generated by its operations in order to allow it to operate, subject to the purported UCC-1 lien set forth herein.

16. If the use of cash collateral is not immediately approved, the bankruptcy estate will suffer immediate and irreparable harm, as it will not be able to pay its expenses from its sole source of income, the funds generated by operations. If the Debtor is unable to maintain constant cash flow, it cannot possibly succeed in the above-captioned matter.

17. Federal Rule of Bankruptcy Procedure 4001(b)(2) provides, as follows:

(2) Hearing. The court may commence a final hearing on a motion for authorization to use cash collateral no earlier than 14 days after service of the motion. If the motion so requests, the court may conduct a preliminary hearing before such 14-day period expires, but the court may authorize the use of only that amount of cash collateral as is necessary to avoid immediate and irreparable harm to the estate pending a final hearing.

18. Pursuant to Fed. R. Bankr. P. 4001(b)(2), the Debtor respectfully requests a preliminary hearing before the Court authorizing it to use cash collateral as specified in this Emergency Motion for Authorization to Use Cash Collateral (the "Motion").

19. The Debtor shall be authorized to use cash collateral in accordance with the attached projected profit and loss statements for February and March 2019. Said profit and loss statements are attached hereto as **Exhibit A**.

20. The Debtor must remit the agreed upon Adequate Protection Payment to Newtek, the IRS and NCDOR within the month in which said payment comes due. Should the Debtor fail to timely remit Adequate Protection Payments to Newtek, the IRS and NCDOR, the Debtor shall be in breach of this Order.

21. The Debtor proposes that those creditors whose cash collateral is utilized shall have (i) a continuing post-petition replacement lien and security interest in all

property and categories of property of the same extent, validity, and priority as said creditor held prepetition. The validity, enforceability, and perfection of the post-petition replacement liens shall be immediately deemed perfected, without the need for any further action on the part of any of the creditors.

22. The Debtor does not admit to, and this order does not establish, the validity, nature, extent, priority, or perfection of any security interest or lien, or the characterization of any of its property as cash collateral or otherwise, and the Debtor reserves the right for itself and for the bankruptcy estate to challenge any of these matters in the future.

23. The Debtor seeks the aforementioned relief on an interim basis, with any order allowing the use of cash collateral to terminate within sixty (60) days of entry of the order.

WHEREFORE, and based upon the foregoing, the Debtor respectfully prays for (A) a preliminary hearing on this Motion in order that immediate harm to the Estate can be avoided, (B) an Order authorizing the Debtor to use cash collateral in accordance with 11 U.S.C. § 363, and (C) such other and further relief that this Court deems just and appropriate.

Dated: February 14, 2019

Richard P. Cook, PLLC

/s/ Richard P. Cook, PLLC
Richard P. Cook
N.C. State Bar No. 37614
Attorneys for the Debtor
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Wilmington, NC 28403
(910) 399-3458
Richard@CapeFearDebtRelief.com

February 2019 Projections

| | February 2019 Projection | Projected % |
|---------------------------------|--------------------------|-------------|
| 4100 Total Sales | \$ 170,000 | |
| 5100 Total Cost of Goods | \$ 59,500 | 35.0% |
| Gross Profit | \$ 110,500 | |
| Expense | | |
| 6000 Payroll Expense | \$ 37,400 | 22.0% |
| 6020 Payroll Taxes | \$ 5,100 | 3.0% |
| 6025 Payroll Expense Management | \$ 7,200 | 4.2% |
| 6030 Payroll Taxes Management | \$ 608 | 0.4% |
| 6252 Guest Relations | \$ 100 | 0.1% |
| 6300 Advertising | \$ 200 | 0.1% |
| 6301 Charitable Contributions | \$ 200 | 0.1% |
| 6302 Employment Services | \$ - | 0.0% |
| 6307 Employee Benefits | \$ 200 | 0.1% |
| 6308 CC Monthly Fees | \$ 2,100 | 1.2% |
| 6309 CC Processing Billings | \$ 500 | 0.3% |
| 6310 Bank Service Charges | \$ - | 0.0% |
| 6312 Cost of Checks | \$ 60 | 0.0% |
| 6314 Office Supplies | \$ 80 | 0.0% |
| 6315 Cleaning Supplies | \$ 80 | 0.0% |
| 6316 Equip & Supplies | \$ 300 | 0.2% |
| 6317 Uniforms | \$ 200 | 0.1% |
| 6318 Linen Service | \$ 1,200 | 0.7% |
| 6320 Floor Cleaning | \$ 675 | 0.4% |
| 6321 Hood Cleaning | \$ 500 | 0.3% |
| 6322 Fire Equip Inspections | \$ 140 | 0.1% |
| 6323 Inspection Fees | \$ - | 0.0% |
| 6324 Safety Training & Sup | \$ 400 | 0.2% |
| 6330 Royalties | \$ 10,200 | 6.0% |
| 6337 Vehicle Expense | \$ 340 | 0.2% |
| 6339 Travel Expense | \$ 1,000 | 0.6% |
| 6340 Telephone Expense | \$ 960 | 0.6% |
| 6341 Utilities - Electricity | \$ 3,000 | 1.8% |
| 6342 Utilities - Water Sewage | \$ 1,135 | 0.7% |
| 6343 Gas (Propane or Natural) | \$ 2,600 | 1.5% |
| 6344 CO2 | \$ 280 | 0.2% |
| 6345 Pest Control | \$ 500 | 0.3% |
| 6346 Trash Disposal | \$ 469 | 0.3% |
| 6347 Grease Disposal | \$ 312 | 0.2% |
| 6348 Alarm Systems | \$ 145 | 0.1% |
| 6349 Music Systems | \$ 108 | 0.1% |

RES HWY 55
Profit Loss

February 2019 Projections

| | February 2019 Projection | Projected % |
|------------------------------|--------------------------|-------------|
| 6365 Cash Over and Short | \$ 500 | 0.3% |
| 6368 Credit Card Over/Short | \$ 100 | 0.1% |
| 6380 Rent Expense | \$ 14,308 | 8.4% |
| 6382 Insurance Building | \$ 728 | 0.4% |
| 6383 Insurance Workers Comp | \$ 868 | 0.5% |
| 6384 Maint. Preventative | \$ 200 | 0.1% |
| 6385 Rep & Mt Prop | \$ 560 | 0.3% |
| 6386 Rep & Mt HVAC | \$ 200 | 0.1% |
| 6378 Rep & Mt Ref Equip | \$ 200 | 0.1% |
| 6388 Rep & Mt Cook Line | \$ 200 | 0.1% |
| 6510 Accounting Fees | \$ 200 | 0.1% |
| 6530 Corp Expense | \$ - | 0.0% |
| 6650 Property Taxes | \$ 100 | 0.1% |
| 6809 Loyalty Card Exp | \$ 416 | 0.2% |
| 6810 Register POS Expense | \$ 1,068 | 0.6% |
| 6811 Business Software | \$ 200 | 0.1% |
| 6812 Emp Software | \$ 80 | 0.0% |
| 6900 Interest Expense | \$ 4,660 | 2.7% |
| 6915 Sales Tax Penalty & Int | \$ - | 0.0% |
| Total Expense | \$ 102,880 | 60.5% |
| Net Ordinary Income | \$ 7,620 | 4.48% |

RES HWY 55
Profit Loss

March 2019 Projections

| | March 2019 Projection | Projected % |
|---------------------------------|-----------------------|-------------|
| 4100 Total Sales | \$ 195,000 | |
| 5100 Total Cost of Goods | \$ 68,250 | 35.0% |
| Gross Profit | \$ 126,750 | |
| Expense | | |
| 6000 Payroll Expense | \$ 42,900 | 22.0% |
| 6020 Payroll Taxes | \$ 5,850 | 3.0% |
| 6025 Payroll Expense Management | \$ 7,200 | 3.7% |
| 6030 Payroll Taxes Management | \$ 608 | 0.3% |
| 6252 Guest Relations | \$ 100 | 0.1% |
| 6300 Advertising | \$ 200 | 0.1% |
| 6301 Charitable Contributions | \$ 200 | 0.1% |
| 6302 Employment Services | \$ - | 0.0% |
| 6307 Employee Benefits | \$ 200 | 0.1% |
| 6308 CC Monthly Fees | \$ 2,100 | 1.1% |
| 6309 CC Processing Billings | \$ 500 | 0.3% |
| 6310 Bank Service Charges | \$ - | 0.0% |
| 6312 Cost of Checks | \$ 60 | 0.0% |
| 6314 Office Supplies | \$ 80 | 0.0% |
| 6315 Cleaning Supplies | \$ 80 | 0.0% |
| 6316 Equip & Supplies | \$ 300 | 0.2% |
| 6317 Uniforms | \$ 200 | 0.1% |
| 6318 Linen Service | \$ 1,200 | 0.6% |
| 6320 Floor Cleaning | \$ 675 | 0.3% |
| 6321 Hood Cleaning | \$ 500 | 0.3% |
| 6322 Fire Equip Inspections | \$ 140 | 0.1% |
| 6323 Inspection Fees | \$ - | 0.0% |
| 6324 Safety Training & Sup | \$ 400 | 0.2% |
| 6330 Royalties | \$ 11,700 | 6.0% |
| 6337 Vehicle Expense | \$ 340 | 0.2% |
| 6339 Travel Expense | \$ 1,000 | 0.5% |
| 6340 Telephone Expense | \$ 960 | 0.5% |
| 6341 Utilities - Electricity | \$ 3,000 | 1.5% |
| 6342 Utilities - Water Sewage | \$ 1,135 | 0.6% |
| 6343 Gas (Propane or Natural) | \$ 2,600 | 1.3% |
| 6344 CO2 | \$ 280 | 0.1% |
| 6345 Pest Control | \$ 500 | 0.3% |
| 6346 Trash Disposal | \$ 469 | 0.2% |
| 6347 Grease Disposal | \$ 312 | 0.2% |
| 6348 Alarm Systems | \$ 145 | 0.1% |
| 6349 Music Systems | \$ 108 | 0.1% |

March 2019 Projections

| | March 2019 Projection | Projected % |
|------------------------------|-----------------------|-------------|
| 6365 Cash Over and Short | \$ 500 | 0.3% |
| 6368 Credit Card Over/Short | \$ 100 | 0.1% |
| 6380 Rent Expense | \$ 14,308 | 7.3% |
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| 6378 Rep & Mt Ref Equip | \$ 200 | 0.1% |
| 6388 Rep & Mt Cook Line | \$ 200 | 0.1% |
| 6510 Accounting Fees | \$ 200 | 0.1% |
| 6530 Corp Expense | \$ - | 0.0% |
| 6650 Property Taxes | \$ 100 | 0.1% |
| 6809 Loyalty Card Exp | \$ 416 | 0.2% |
| 6810 Register POS Expense | \$ 1,068 | 0.5% |
| 6811 Business Software | \$ 200 | 0.1% |
| 6812 Emp Software | \$ 80 | 0.0% |
| 6900 Interest Expense | \$ 4,660 | 2.4% |
| 6915 Sales Tax Penalty & Int | \$ - | 0.0% |
| Total Expense | \$ 110,630 | 56.7% |
| Net Ordinary Income | \$ 16,120 | 8.27% |

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION

IN RE: RICHS FOOD STORES, LLC

CASE NO: 19-00504-5-JNC

**DECLARATION OF MAILING
CERTIFICATE OF SERVICE**

Chapter: 11

On 2/14/2019, I did cause a copy of the following documents, described below,

Emergency Motion for Authorization of Debtor's Interim Use of Cash Collateral and Notice Thereof

to be served for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

I caused these documents to be served by utilizing the services of BK Attorney Services, LLC d/b/a certificateofservice.com, an Approved Bankruptcy Notice Provider authorized by the United States Courts Administrative Office, pursuant to Fed.R. Bankr.P. 9001(9) and 2002(g)(4). A copy of the declaration of service is attached hereto and incorporated as if fully set forth herein.

Parties who are participants in the Courts Electronic Noticing System ("NEF"), if any, were denoted as having been served electronically with the documents described herein per the ECF/PACER system.

DATED: 2/14/2019

/s/ Richard P. Cook
Richard P. Cook 37614
Richard P. Cook, PLLC
7036 Wrightsville Ave, Ste. 101
Wilmington, NC 28403
910 399 3458

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION

IN RE: RICHS FOOD STORES, LLC

CASE NO: 19-00504-5-JNC

**CERTIFICATE OF SERVICE
DECLARATION OF MAILING**

Chapter: 11

On 2/14/2019, a copy of the following documents, described below,

Emergency Motion for Authorization of Debtor's Interim Use of Cash Collateral and Notice Thereof

were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above referenced document (s) on the mailing list attached hereto in the manner shown and prepared the Declaration of Certificate of Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: 2/14/2019



Jay S. Jump
BK Attorney Services, LLC
d/b/a certificateofservice.com, for
Richard P. Cook
Richard P. Cook, PLLC
7036 Wrightsville Ave, Ste. 101
Wilmington, NC 28403

FIRST CLASS

VEND LEASE COMPANY INC
ATTN MANAGING OFFICER OR AGENT
8100 SANDPIPER CIR STE 300
BALTIMORE MD 21236

CASE INFO

LABEL MATRIX FOR LOCAL NOTICING
04175
CASE 19-00504-5-JNC
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH
THU FEB 14 15-07-52 EST 2019

A AND E VENDS INC
ATTN MANAGING OFFICER OR AGENT
102 COMMERCIAL AVENUE
MOUNT OLIVE NC 28365-8695

BANKRUPTCY ADMINISTRATOR
TWO HANNOVER SQUARE STE 640
434 FAYETTEVILLE STREET
RALEIGH NC 27601-1701

CHASE CARD
ATTN MANAGING OFFICER OR AGENT
201 N WALNUT STREET
DE1-1027
WILMINGTON DE 19801-2920

~~EXCLUDE~~

~~RICHARD PRESTON COOK~~
~~RICHARD F COOK PLLC~~
~~7036 WRIGHTSVILLE AVE SUITE 101~~
~~WILMINGTON NC 28403-3656~~

CUMBERLAND COUNTY TAX COLLECTOR
ATTN MANAGING OFFICER OR AGENT
PO BOX 449
FAYETTEVILLE NC 28302-0449

DP PROPERTIES OF NC LLC
ATTN MANAGING OFFICER OR AGENT
PO BOX 1747
WEST CHESTER PA 19380-0059

DIVERSIFIED ENERGY
ATTN MANAGING OFFICER OR AGENT
17220 US HWY 421 S
DUNN NC 28334-8757

DONALD MONG
133 MARLBORO FARMS
ROCKY POINT NC 28457-9551

DUPLIN COUNTY TAX COLLECTOR
ATTN MANAGING OFFICER OR AGENT
PO BOX 968
KENANSVILLE NC 28349-0968

EMPLOYMENT SECURITY COMMISSION
PO BOX 26504
RALEIGH NC 27611-6504

FSI MECHANICAL
ATTN MANAGING OFFICER OR AGENT
PO BOX 61428
RALEIGH NC 27661-1428

FAYETTEVILLE RETAIL INVESTMENT LLC
ATTN MANAGING OFFICER OR AGENT
CO WRS INC
550 LONG POINT ROAD
MOUNT PLEASANT SC 29464-8000

FIFTH THIRD BANK
MD ROPS05 BANKRUPTCY DEPT
1850 EAST PARIS SE
GRAND RAPIDS MI 49546-6253

GEORGIA H LONGEST
613B EAST SOUTHERLAND STREET
WALLACE NC 28466-2731

GEORGIA H LONGEST
ATTN MANAGING OFFICER OR AGENT
613-B EAST SOUTHERLAND STREET
WALLACE NC 28466-2731

HOUGHTON DEVELOPMENT INC
ATTN MANAGING OFFICER OR AGENT
6425 MOTTS VILLAGE ROAD
WILMINGTON NC 28412-4900

INSTITUTION FOOD HOUSE INC
AKA PERFORMANCE FOODSERVICE ROMA
ATTN- MANAGING OFFICER OR AGENT
543 12TH STREET DRIVE NW
HICKORY NC 28601-4754

INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

KENNETH RICH
2361 WILLARD ROAD
WALLACE NC 28466-8805

MARJORIE K LYNCH
BANKRUPTCY ADMINISTRATOR
434 FAYETTEVILLE STREET SUITE 640
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MSPARK
ATTN MANAGING OFFICER OR AGENT
PO BOX 848469
DALLAS TX 75284-8469

NC DEPARTMENT OF REVENUE
OFFICE SERVICES DIV BANKRUPTCY UNIT
PO BOX 1168
RALEIGH NC 27602-1168

NEW HANOVER COUNTY TAX OFFICE
ATTN MANAGING OFFICER OR AGENT
PO BOX 18000
WILMINGTON NC 28406-7742

NEWTEK SMALL BUSINESS FINANCE LLC
ATTN MANAGING OFFICER OR AGENT
1981 MARCUS AVE SUITE 130
LAKE SUCCESS NY 11042-1046

NORTH CAROLINA DEPARTMENT OF COMMERCE
DIV OF EMPLOYMENT SECURITY
PO BOX 26504
RALEIGH NC 27611-6504

NORTH CAROLINA DEPT OF REVENUE
ATTN BANKRUPTCY UNIT
PO BOX 1168
RALEIGH NC 27602-1168

PSNC ENERGY
ATTN MANAGING OFFICER OR AGENT
PO BOX 100256
FLORENCE SC 29502

PENDER COUNTY TAX ASSESSOR
ATTN MANAGING OFFICER/AGENT
PO BOX 67
BURGAW NC 28425-0067

PEPSI BOTTLING VENTURES
ATTN MANAGING OFFICER OR AGENT
PO BOX 75990
CHARLOTTE NC 28275-0990

KENNETH NORMAN RICH
2361 WILLARD ROAD
WALLACE NC 28466-8805

DEBTOR
RICHS FOOD STORES LLC
2361 WILLARD ROAD
WALLACE NC 28466-8805

STRATEGIC FUNDING SOURCE INC
ATTN MANAGING OFFICER OR AGENT
211 D BULIFANTS BLVD STE E
WILLIAMSBURG VA 23188-5729

TARA C RICH
2361 WILLARD ROAD
WALLACE NC 28466-8805

THE LITTLE MINT INC
DBA HWY 55 BURGERS SHAKES FRIES
ATTN- MANAGING OFFICER OR AGENT
102 COMMERCIAL AVENUE
MOUNT OLIVE NC 28365-8695

THE MCINTOSH LAW FIRM PC
ATTN JENNIFER AHLERS CONE
PO BOX 2270
DAVIDSON NC 28036-5270

TOWN OF APEX
ATTN MANAGING OFFICER OR AGENT
PO BOX 580398
CHARLOTTE NC 28258-0398

US ATTORNEY
310 NEW BERN AVENUE SUITE 800
FEDERAL BUILDING
RALEIGH NC 27601-1461

UNITED COMMUNITY BANK
ATTN MANAGING OFFICER OR AGENT
406 E MAIN ST
WALLACE NC 28466-2726

VILLAGE COMPANY
ATTN MANAGING OFFICER OR AGENT
PO BOX 31827
RALEIGH NC 27622-1827

WORLDPAY US INC
ATTN MANAGING OFFICER OR AGENT
201 17TH STREET NW
SUITE 1000
ATLANTA GA 30363-1195